



*Department of Resources and  
Economic Development*



**Hampton Beach Area Commission  
Meeting Minutes, November 19, 2009  
Hampton Police Station – 2nd Floor Training Room**

**In Attendance:**

John Nyhan, Chairman, Town of Hampton  
Brian Warburton, Vice Chairman, DRED (Seacoast Parks/Recreation)  
Bill Watson, Secretary/Treasurer- NH Department of Transportation  
Richard Griffin, Town of Hampton  
Geannina Guzman-Scanlan- Hampton Beach Village District  
Fran McMahon- Rockingham Planning Commission  
Bob Preston- Hampton Chamber of Commerce  
Jamie Steffen- Hampton Town Planner (Administration)  
Candice Sicard- Secretary

**Excused:**

Lenny Paul, Hampton Beach Village District

**1. Introduction of Commissioners**

**2. Review & approval of 10/22/09 Minutes**

Page 4: “There was discussion about the addition of rain gardens and other low impact projects.” Changed to “There was discussion about the construction of rain gardens as a low impact development tool.”

**MOVED** by Mr. Watson to approve the minutes of 10/22/09 as amended.

**SECOND** by Mr. McMahon

**VOTE: 5-0-2 (Mr. Griffin & Mr. Preston Abstained) - MOTION PASSED**

**3. Annual Report Submission**

Chairman Nyhan said the HBAC Annual Report was submitted on time to the Governor and Legislative Leaders in Concord and copies were also provided to the Hampton Selectmen, the Commissioners – Beach Village District, and our State Representatives and Senator.

#### **4. Legal Opinion re: Alternate Appointments**

In October, the Hampton Beach Village District requested that they appoint an alternate in addition to their current appointments and it was questioned whether this would be permissible under the current RSA. After speaking with the NH Attorney General's office, it was clarified that under the present RSA that no organization shall appoint an alternate, and if this was the desire in the future, an amendment to the legislation would be required.

#### **5. Election of new Officers**

**MOVED** by Mr. Warburton to nominate Mr. Nyhan for the position of Chairman.

**SECOND** by Mr. Griffin

**VOTE: 7-0-0 MOTION PASSED**

**MOVED** by Mr. Warburton to nominate Mr. Watson for position of Vice Chairman.

**SECOND** by Mr. Nyhan

**VOTE: 7-0-0 MOTION PASSED**

**MOVED** by Mr. Nyhan to nominate Mr. Warburton for the position of Secretary/Treasurer.

**SECOND** by Mr. McMahon

**VOTE: 7-0-0 MOTION PASSED**

#### **6. Appointment Discussion & Vote – Commissioner at Large**

**MOVED** by Mr. Griffin to nominate Wendy Codd for the Commissioner at Large position.

**MOVED** by Mrs. Guzman-Scanlan to nominate Derek Durbin for the Commissioner at Large position.

**MOVED** by Mr. Warburton to nominate Richard Sawyer for the Commissioner at Large position.

Mr. Griffin spoke about Wendy Codd noting her family has been a precinct member since the 1940's and had businesses here for generations. She specializes in promotion, and is a Hampton Beach business woman who he believed would have a lot to offer the Commission.

Mrs. Guzman-Scanlan spoke about Mr. Durbin, noting he is a young attorney who is interested in coastal protection and land use issues. He is a local surfer and believes he has a more regional perspective. She felt he would be a good fit for the Commissioner at Large position.

Mr. Warburton noted that although he believes each of the nominations offers a valid addition to the Commission he believes that Deputy Chief of the Hampton Police Department Mr. Sawyer understands the local regulations, the beach community and goals of the master plan. Mr. Warburton said that he is a tireless worker and believes he would make a good addition to the Commission.

Mr. Preston said he supports Mr. Sawyer, as he sees him everywhere and believes he has the most knowledge of the beach.

Mr. McMahon said that he believes all the candidates are strong but supports Mr. Sawyer, as he has a unique perspective to the beach and the master plan.

Mr. Watson said he may not know all of the locals, so he can be more objective in his choice, and therefore supports Mr. Sawyer's nomination.

Chairman Nyhan said he was happy to see there were responses to the open position and that although each candidate has their own area of expertise, he supports Mr. Sawyer's nomination.

Both Mr. Griffin and Mrs. Guzman-Scanlan noted so that the Commission can make a unanimous decision they would favor Mr. Sawyer's nomination. Mrs. Guzman-Scanlan said that Mr. Durbin mentioned if not elected he would still be available to help the commission with other projects.

**MOVED** by Mr. Preston to close nominations and to nominate Richard Sawyer for the Commissioner at Large position.

**SECOND** by Mr. Watson

**VOTE:** 7-0-0

**MOTION PASSED**

**Old Business**

### **1. Beach Project Update**

Chairman Nyhan said he attended two meetings where the Commission has been given the opportunity to participate in the selection process of the construction management applicants. The RFP went out and a number of qualified construction firms had bid on the project. There was further discussion detailing the selection process schedule. Chairman Nyhan said that his intent in being part of the committee was to represent the community and to examine how each vendor qualifications suggests their firm's ability to handle a tourist community and how they are able to work around scheduling in order to ensure businesses were not hindered by the construction project. He also noted that on 12/08/09 he and Mr. Warburton will be going to a meeting which will update them on the design details of the bathhouses and seashell complex.

### **2. Submission – Letter of Intent – Scenic Byways Program Funds**

Mrs. Guzman-Scanlan said that there was a letter of intent submitted to Mr. Eastman from the DOT Bureau of Planning and Community Assistance for the Scenic Byway Program. The letter of intent was submitted as a first step in the funding application process for the South Beach Visitors Center. There was further discussion about the process and she said that they are interested in submitting a more complete proposal in January or February of 2010. Chairman Nyhan said DOT had indicated from the beginning that they wanted to be a partner in the beach redevelopment project and that they would work with the Commission in helping to channel funds from appropriate State and Federal Programs. Mr. Watson said that the Scenic Byways Program is federally funded and typically receives a solicitation by federal highways in January or February. He also said only six

letters of intent were submitted and that the seacoast is unique in leveraging success because of the capital budget support for the redevelopment project. There was discussion about matching requirements and the hope that those funds could come from the overall redevelopment project budget.

### **3. Review of proposed 2009/2010 Projects/Initiatives**

Chairman Nyhan said he wanted new members to have the opportunity to provide input on new projects and initiatives and he sent a copy of what was discussed at the previous meeting to the Commissioners. He noted that he has had a number of conversations with Mr. Paul who will be representing the Hampton Beach Village District however due to business travel he was not able to make it this evening. Chairman Nyhan indicated that he would meet with Mr. Pau prior to the next meeting to bring him up to date.

Mr. Griffin mentioned the beach businesses boarding up for the season and noted that there is a general consensus that this needs to be improved.

Chairman Nyhan spoke about the Town's beach infrastructure project and the needs for other upgrades at the beach including drainage and sidewalks on the seven streets on the west side of Ashworth Ave. He said that he was going to the Board of Selectmen next week in order to determine how to move this project forward. He noted it's the Commission's job was to assist in identifying the scope of work, cost and how much additional money is needed to complete the project on top of the \$470,000.00 already allocated for this specific work.

### **New Business**

#### **1. Presentation & Discussion – proposed Fire Station on Hampton Beach – Chief Chris Silver, Hampton Fire Department**

Chief Silver discussed the history of the fire stations, the current proposed plan for both the Winnacunnet Fire Station and the Beach Station. He then focused his discussion on the beach proposed plan noting once the selection was made they appointed an advisory committee to view and comment on all related plans. Chief Silver spoke about site selection, elevations, schematic designs and soil conditions. He stated, he along with the Board of Selectmen, were working very hard with the Village Precinct to come up with a mutual agreement and a plan that would satisfy both the Town and the Precinct.

Mr. McMahon asked if they were planning on going to other local boards for input and this was confirmed. Mr. McMahon said that this is one thing that was not done during the construction of the new high school which created a situation with park roads, intersections and ball fields. Chairman Nyhan asked about the exterior design of the structure and if it complements the redevelopment project architecture and this was confirmed. Preliminary drawings were displayed.

## **2. Discussion – Commissioner Assignments – 2009/2010 Projects/Initiatives**

Chairman Nyhan outlined the recommendations he had emailed to the commissioners including a focus on the State Park Redevelopment Project. The following are the members of the committee who will be spearheading each project / initiative:

Beach Infrastructure Project- Mr. McMahon  
Beautification, Beach Lights and Signage- Mrs. Guzman-Scanlan  
Ocean Boulevard Project- Mr. Watson  
Zoning- Mr. McMahon  
Parking- Mr. Warburton

Mr. McMahon said that in the past Mr. McGuirk had been helping with architectural reviews and that there needs to be a group available for this now. He would do this but it does create a conflict with his position on the Planning Board. He suggested perhaps Mr. Preston may be able to help with activity. Mr. Preston agreed and said he would also like to help contribute to the zoning changes the Planning Board was responsible for putting forward in an upcoming warrant.

Chairman Nyhan discussed improving the look of Hampton especially in the empty lots, and hopes the commissioners will make a concerted effort to promote economic development.

## **3. Other New Business**

Mr. McMahon said that the Planning Board met last night and spoke about the zoning article requiring retail / commercial on the first floor in the business seasonal area of the beach. It was noted that there will be a public hearing on this on December 16, 2009 at the town hall. Other possible zoning changes were discussed.

Mr. Warburton said that Mr. Griffin had mentioned town and business signage as part of the redevelopment. He stated that the state park system is working to identify new signage as well and are looking for suggestions on names for the new facilities to be built. He also mentioned that phase II of the pay stations (north of Ashworth Hotel) shall commence in March. Mr. Warburton also mentioned that phase III of the seawall construction will cover 8<sup>th</sup> – 10<sup>th</sup> street throughout next summer. Finally, Mr. Warburton stressed the importance of Chairman Nyhan and he being the point of contacts for the redevelopment project.

Mr. Preston said he was impressed with his first meeting as a Commissioner but suggested there be a public comment period during the monthly meetings.

Each person speaking during the public session has three to five minutes to state their concerns, and anyone who wishes to speak longer than that may ask the Chairman for an appointment at a future meeting

**MOVED** by Mr. Preston to establish a public comment period at the beginning of each monthly meeting.

**SECOND** by Mr. Warburton

**VOTE:**

**7-0-0**

**MOTION PASSED**

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Chairman Nyhan said that he has invited State Representatives to attend December's meeting so that they can present their proposed legislative bills pertaining to the beach area to the Commission for discussion and possible further action.

MOVED by Mr. Warburton to adjourn

SECOND by Mr. Griffin

VOTE:

7-0-0

MOTION PASSED

Meeting Adjourned at 8:43 PM

Respectfully Submitted,

Candice Sicard